

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 03 2010

Department of Water Resources
Eastern Region

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person claiming a water right established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. **The filing of this claim does not confirm the water right claimed.** Water rights represented by a valid permit, license, decree, or previous claim are exempt from this requirement, as are uses of water for domestic purposes as defined in Section 42-111, Idaho Code. A filing fee must be submitted with this claim. See the instruction sheet to determine the appropriate fee.

Notice is hereby given that Eight Mile Ranch LLC
1501 Eight mile Creek RD (Name of Claimant)
Boda Spring ID (Zip Code) Telephone No: 547-3885

claims a right to the diversion and beneficial use of surface or ground water. The extent and nature of said claim is as follows:

1. Date of Priority: (When the water was first applied to beneficial use) 5/1/59
A claim is not acceptable for the use of surface water with a priority later than May 20, 1971. A claim is not acceptable for the use of ground water with a priority date later than March 25, 1963, unless the water is used for domestic purposes as defined in Section 42-111, Idaho Code.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Unnamed Stream tributary to Budge Canal (unnamed stream)

3. Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs or af)	(Irrigation, Domestic, Stock, Etc.)	(Both dates inclusive) (MM/DD)	(MM/DD)
Quantity <u>.31</u>	Use <u>Irrigation</u>	Period of Use From <u>4/5</u>	to <u>10/31</u>
Quantity _____	Use _____	Period of Use From _____	to _____
Quantity _____	Use _____	Period of Use From _____	to _____
Quantity _____	Use _____	Period of Use From _____	to _____

4. .31 TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Govt. Lot _____
Sec. 19 Township 10S Range 43E B.M., Bear Lake County; additional points
of diversion, if any: begin

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities. Be specific. Describe any changes in the system and give the date of the change.

after crossing the road, water is diverted
at a float pipe for flood irg.

6. A) Describe the place of use within each 40-acre tract in the appropriate box using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.

D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	43E	19							8.8				1.5						10.3

TOTAL ACRES 10.3

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific. _____

NOTE: Include here the type and number of stock watered: _____

7. Remarks: Local Name clover crk.

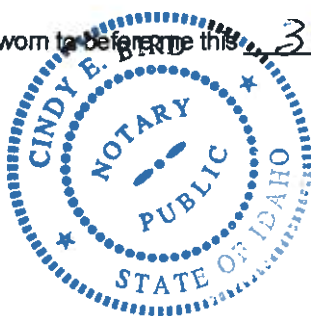
8. Map - Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an aerial photograph of the place of use if available.

State of Idaho)
County of Bannock) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the forgoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

C. M. Harkin
Claimant's Signature (and title if claim is for an organization)

Sworn to before me this 3rd day of April, 2008.



Cindy E. Bird
Notary Public

Residing at: Lava Hot Springs

My commission expires: 6-19-2013

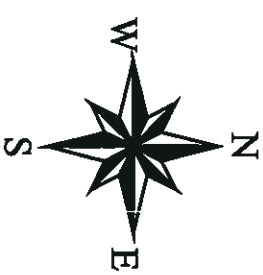
FOR DEPARTMENT USE ONLY

Received by _____ Date _____
Prelim. check by _____ Date _____
Fee \$ 500 Receipt # E036256
Receipt prepared by _____ Date 11/5/2010

Published in _____
Publication dates _____
Publication checked by _____ Date _____
Exceptions filed by _____

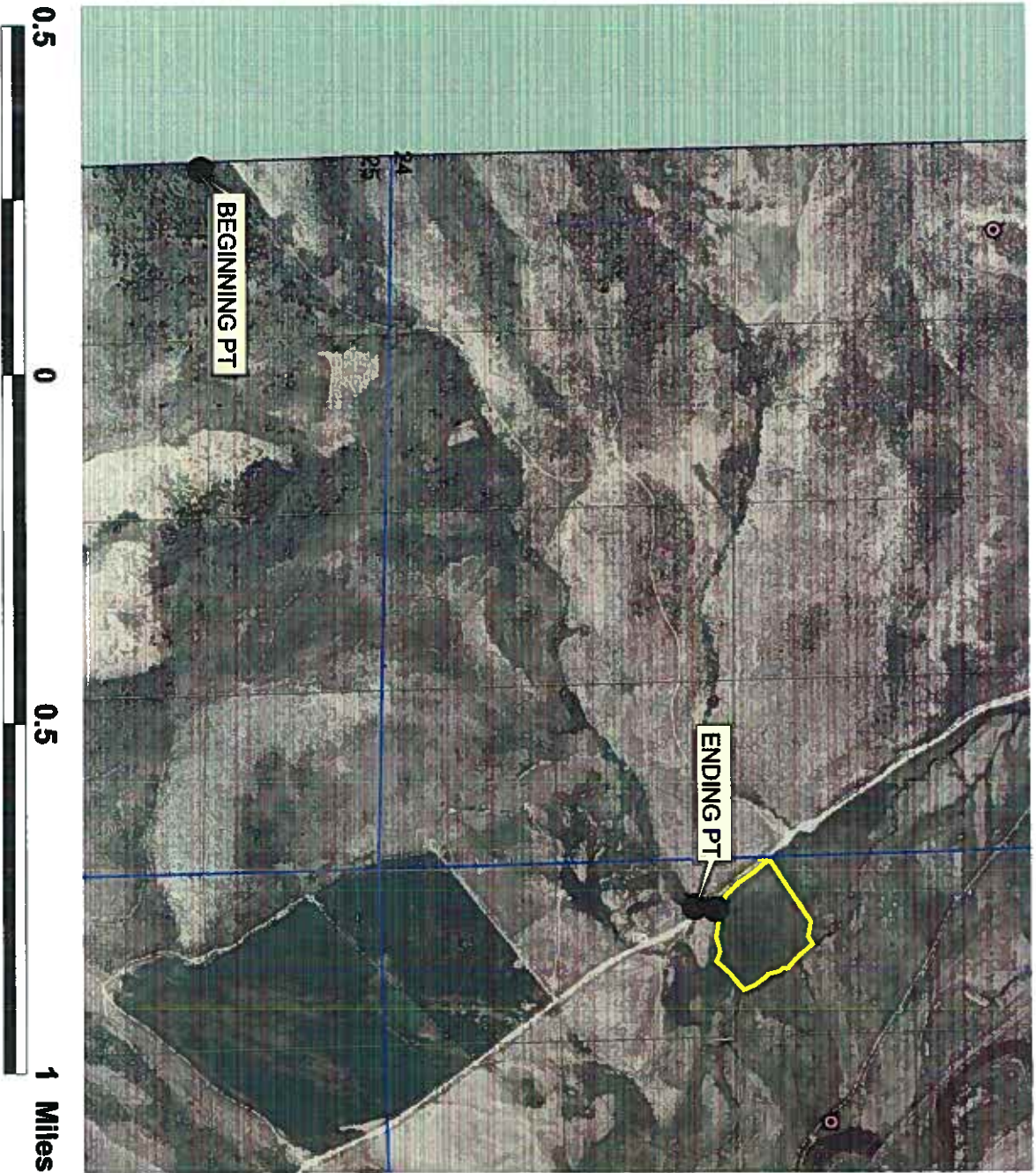
11- 7691

The map displays a topographic view of a mountainous area. A proposed road route is shown as a dashed line, starting at a point labeled 'BEGINNING PT' and ending at a point labeled 'ENDING PT'. The route passes through a purple-shaded area labeled '8.8'. The map includes contour lines, a creek, and a scale bar indicating a distance of 1 mile. The route is marked with a dashed line and a red dashed line. The 'ENDING PT' is located near a purple-shaded area labeled '8.8'. The map also shows a creek and a scale bar from 0 to 1 mile.

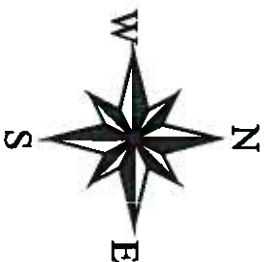


11- 7691

EIGHT MILE RANCH



- Clover crk.shp
- Idown.shp
- Bureau of Land Management
- Bureau of Reclamation
- Corps of Engineers
- Department of Energy
- Tribal Lands
- Bankhead Jones Lands
- National Grasslands
- Military
- National Park Service
- National Wildlife Refuge
- Private
- State of Idaho
- Idaho Fish and Game
- Idaho Department of Parks and Recreation
- U.S. Forest Service
- Sections
- GCDB10S43E GCDB
- GCDB10S42E GCDB
- Right POD



State of Idaho
Department of Water Resources
Water Right License
11-7691

Water Service Area Boundary for Eight Mile Ranch Llc



Legend

-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.03 0.06 0.12 Miles



11 - 7691

Type	WR #	Owner	Source	TRS	SENE	NW/NW	SW/NW	SE/NW	NESW	NW/SW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Right	11 323	EIGHT MILL SPRINGS	10S43E19			X	X	X									0
Right	11 7474	EIGHT MILL BEAR RIVER	10S43E19						X								0
Right	11 7657	RAILROAD BEAR RIVER	10S43E19		8.4								20.2			2.4	31
Right	11 7690	EIGHT MILL UNNAMED	10S43E19			X											0
Right	11 7691	EIGHT MILL UNNAMED	10S43E19		8.8					1.5							10.3
Right	11 7692	EIGHT MILL UNNAMED	10S43E19		5.1												5.1

11- 7691



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

March 9, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

EIGHT MILE RANCH LLC
C/O MC GEE HARRIS
1501 EIGHT MILE CREEK RD
SODA SPRINGS, ID 83276

Water Right Claim No. 11-7690, 11-7691, 11-7692, 11-7693

Dear Claimant(s):

A legal notice of the claim has been prepared and is scheduled for publication in the NEWS EXAMINER on March 16 and 23, 2011. If exceptions to the claim are filed, you will be sent a copy of each exception.

The filing and advertising of the claim does not confirm or validate the water right. It will serve to record and preserve the information and the evidence, including any exceptions, regarding the claim.

If, at a later date, you find that you have additional information or supporting evidence you would like to include with the claim, you may submit it at any time. You may correct the claim by filing an amended claim. No additional filing fees are required to amend a claim.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any Department office or visit the Department's web site at <http://www.idwr.idaho.gov> to obtain the proper forms and instructions.

We are enclosing a copy of the claim for your records. Please contact this office if you have any questions.

Sincerely,

Sharla Cox
Administrative Assistant

Cox, Sharla

From: Cox, Sharla
Sent: Wednesday, March 09, 2011 10:13 AM
To: 'addesignne@dcdi.net'
Subject: Legal ad for your paper

Contacts: News Examiner



News Examiner.RTF

Sharla

Sharla Cox
Administrative Assistant
Idaho Department of Water Resources
900 N. Skyline Dr. Ste. A
Idaho Falls ID 83402
208-525-7161 - telephone
208-525-7177 - fax
sharla.cox@idwr.idaho.gov

The following claim(s) have been filed based on diversion and beneficial use of water:

EIGHT MILE RANCH LLC
C/O MC GEE HARRIS
1501 EIGHT MILE CREEK RD
SODA SPRINGS, ID 83276

11-7690

Point of Diversion SWNWNW S25 T10S R42E BEAR LAKE County Source UNNAMED STREAM Tributary UNNAMED STREAM

Use: STOCKWATER 04/1 to 12/1 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 11/3/2010

Place Of Use: STOCKWATER

T10S R43E S19 L3 (NWSW)

T10S R42E S24 SWSW SESW NESE NWSE SWSE

T10S R42E S25 NWNW

11-7691

Point of Diversion NWNWSW S19 T10S R43E BEAR LAKE County Source UNNAMED STREAM Tributary UNNAMED STREAM

Use: IRRIGATION 04/15 to 10/31 0.31 CFS

Total Diversion: 0.31 CFS

Date Filed: 11/3/2010

Place Of Use: IRRIGATION

T10S R43E S19 SWNW NWSW

Total Acres: 10.3

11-7692

Point of Diversion SESENE S24 T10S R42E BEAR LAKE County Source UNNAMED STREAM Tributary UNNAMED STREAM

Use: IRRIGATION 04/15 to 10/31 0.32 CFS

Total Diversion: 0.32 CFS

Date Filed: 11/3/2010

Place Of Use: IRRIGATION

T10S R42E S24 SENE

T10S R43E S19 L2(SWNW)

Total Acres: 10.6

11-7693

Point of Diversion NWSWNW S24 T10S R42E BEAR LAKE County Source UNNAMED STREAM Tributary UNNAMED STREAM

Point of Diversion SESENE S24 T10S R42E BEAR LAKE County Source UNNAMED STREAM Tributary UNNAMED STREAM

Use: STOCKWATER 04/01 to 12/01 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 3/7/2011

Place Of Use: STOCKWATER

T10S R42E S24 SWNE SENE SWNW SENW NESE NWSE

Exceptions to a claim may be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with an exception fee of \$25.00.

GARY SPACKMAN, Interim Director

Published on March 16 and 23, 2011



IDAHO SECRETARY OF STATE

Viewing Business Entity

Ben Ysursa, Secretary of State

[[New Search](#)] [[Back to Summary](#)]
 [[Get a certificate of existence for EIGHT MILE RANCH, L.L.C.](#)]

EIGHT MILE RANCH, L.L.C.

1501 EIGHT MILE CREEK ROAD
 SODA SPRINGS, ID 83276

Type of Business: LIMITED LIABILITY COMPANY

Status: EXISTING, ANREPT SENT 01 Feb 2011

State of Origin: IDAHO

Date of 10 Apr 2000

Origination/Authorization:

Current Registered Agent: C MCGEE HARRIS
 1501 EIGHT MILE CREEK ROAD
 SODA SPRINGS, ID 83276

File Number: W11674

Date of Last Annual Report: 12 Aug 2010

Original Filing:

Filed 10 Apr 2000 ARTICLES OF
 ORGANIZATION

[[Help Me Print/View TIFF](#)]

[View Image \(PDF format\)](#)

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Amendments:

Amendment Filed 11 Aug 2010 REINSTATEMENT

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Annual Reports:

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Report for year 2010 REINSTATEMENT [View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)

Report for year 2009 ANNUAL REPORT [View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)

Report for year 2008 ANNUAL REPORT [View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)

Report for year 2007 ANNUAL REPORT [View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)

Report for year 2006 ANNUAL REPORT [View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)

Report for year 2005 ANNUAL REPORT [View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)

Report for year 2004 ANNUAL REPORT [View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)

Report for year 2003 ANNUAL [View Image \(PDF format\)](#) [View Image \(TIFF format\)](#)

NOV 03 2010

Department of Water Resources
Eastern Region**SUPPORTING AFFIDAVIT**

STATE OF IDAHO)
 : SS
COUNTY OF BANNOCK)

Randall C. Budge, being first duly sworn under oath, deposes and states that the following information is true and correct to the best of his knowledge, information and belief.

1. My name is Randall C. Budge and I currently reside at 6258 Old Ranch Road, Pocatello, Idaho 83204. I am now and have continuously been since September of 1973 a duly-licensed and practicing attorney under the laws of the State of Idaho in good standing, holding Idaho State Bar License No. 1949.

2. I am personally familiar with the real property and water rights now owned by Harris Eight Mile Ranch, LLC, which I helped C. McGee and Janet G. Harris organize in April of 2000 as a part of their business and estate planning. I was born on May 29, 1951, and lived on the property from 1956 until approximately the fall of 1965. At that time and for many years prior the property was owned by Budge Land & Livestock Company and commonly known as the Budge Ranch. My father Reed W. Budge was the manager and operator of the Budge Ranch and owned one-third of the stock, the rest being owned by other family members. During this time I regularly and continuously worked on the ranch with my father doing the normal ranch work including raising hay and grain crops, irrigating, herding livestock, repairing fences. During that time stock watering and irrigation occurred from what was commonly known as Pole Creek and also Clover Creek, tributaries to the Budge Canal. To the best of my knowledge the points of diversion and places of use and other elements were as described in the four Claims to a Water Right under I.C. §42-243 signed by C. McGee Harris on April 3, 2008 and filed with the Idaho Department of Water Resources, Eastern Region Office on or about November 3, 2010. The information contained in those Claims is true and correct to the best of my knowledge based upon my personal observations while I lived on the property, with the earliest date of my recollection being approximately May 1, 1956.

3. After the Budge Ranch was sold we purchased and moved to a ranch a few miles to the north in the Bailey Creek area where we lived for a few years until we moved our family into Soda Springs, where I graduated from high school in 1969. During that period and every few years ever since, including up to this year, I have periodically driven through the property to observe the countryside, occasionally hunt or picnic or to visit with the Harris family and their predecessors Frank and Jo Biedart, who acquired the property from Budge Land & Livestock Company. This is because the Budge Ranch held many fond memories as I grew up and because of its unique history. During these visits I have observed that stock watering and irrigating from Pole Creek and Clover Creek as described in these claims has continued throughout this period I

have described as this is readily observable from the country roadway that runs through the home place in a southerly direction, bisecting both of these creeks.

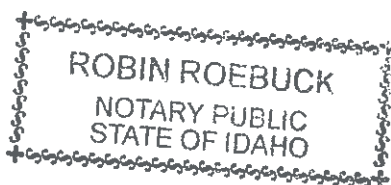
FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 2nd day of November, 2010.



RANDALL C. BUDGE

SUBSCRIBED AND SWORN TO before me this 2nd day of November, 2010.





NOTARY PUBLIC FOR IDAHO,
Residing at Pocatello.
My Commission Expires 8/18/2012

RECEIVED

NOV 03 2010

Department of Water Resources
Eastern Region

LAW OFFICES OF
**RACINE OLSON NYE BUDGE & BAILEY
CHARTERED**

201 EAST CENTER STREET
POST OFFICE BOX 1391
POCATELLO, IDAHO 83204-1391

TELEPHONE (208) 232-6101
FACSIMILE (208) 232-6109

www.racinelaw.net

SENDER'S E-MAIL ADDRESS: RCB@racinelaw.net

BOISE OFFICE
101 SOUTH CAPITOL
BOULEVARD, SUITE 208
BOISE, IDAHO 83702
TELEPHONE: (208) 395-0011
FACSIMILE: (208) 433-0167

IDAHO FALLS OFFICE
477 SHOUP AVENUE
SUITE 107
POST OFFICE BOX 50698
IDAHO FALLS, ID 83405
TELEPHONE: (208) 528-6101
FACSIMILE: (208) 528-6109

ALL OFFICES TOLL FREE
(877) 232-6101

LOUIS F. RACINE (1917-2005)
WILLIAM D. OLSON, OF COUNSEL

W. MARCUS W. NYE
RANDALL C. BUDGE
JOHN A. BAILEY, JR.
JOHN R. GOODELL
JOHN B. INGELSTROM
DANIEL C. GREEN
BRENT O. ROCHE
KIRK B. HADLEY
FRED J. LEWIS
ERIC L. OLSEN
CONRAD J. AIKEN
RICHARD A. HEARN, M.D.
LANE V. ERICKSON
FREDERICK J. HAHN, III
DAVID E. ALEXANDER
PATRICK N. GEORGE
SCOTT J. SMITH
JOSHUA D. JOHNSON
STEPHEN J. MUHONEN
CANDICE M. MCHUGH
CAROL TIPPI VOLYN
BRENT L. WHITING
JONATHAN S. BYINGTON
DAVE BAGLEY
THOMAS J. BUDGE
JONATHAN M. VOLYN
MARK A. SHAFFER
JASON E. FLAIG
FERRELL S. RYAN, III

November 2, 2010

James Cefalo
Eastern Region/IDWR
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83402

Re: *Eight Mile Ranch, LLC*
Four Claims to a Water Right

Dear James:

Enclosed please find the original and two copies of four Claims to a Water Right under Section 42-243 Idaho Code. These provide for 0.04 cfs stockwater claims in what is commonly known as Clover Creek and Pole Creek, together with small 0.31 cfs and 0.32 cfs irrigation rights in the same. These Claims are signed by C. McGee Harris as manager of the Claimant Eight Mile Ranch, LLC, whose signature was notarized by Cindy Bird. Cindy Bird was working in the Soda Springs IDWR Office and prepared these claims for Harris Ranch, LLC, based upon a review of the maps and information provided by McGee Harris and Wade Harris, his son, who operate the property. The Harrises were of the impression that these claims were previously filed after they were prepared and signed in 2008. But that appears not to be the case, which is the reason for this submittal at this time.

Also enclosed for filing in the original and two extra copies of my Affidavit submitted in support of these claims, together with our check in the amount of \$1200 for filing fees, consisting of \$500 for each of the irrigation claims and \$100 for each of the stockwater claims.

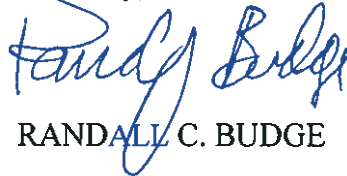
November 2, 2010

Page 2

Please file and process the originals and conform stamp and return the extra copies to me and to Harris Eight Mile Ranch, LLC, in the stamped and addressed return envelope enclosed.

If you have any questions, please don't hesitate to give me a call. Thank you for your assistance.

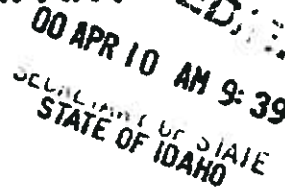
Sincerely,

A handwritten signature in blue ink, appearing to read "Randall C. Budge". The signature is fluid and cursive, with the first name "Randall" being more prominent than the last name "Budge".

RANDALL C. BUDGE

RCB:rr
Enclosures

To the Secretary of State of Idaho
Corporations Division
700 West Jefferson Room 203
P.O. Box 83720 • Boise, ID 83720-0080



- C. McGee Harris
East Harris

W 11674